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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

VINOVAION, INC., a California corporation,
and OENOVATION INTERNATIONAL LLC,
a California corporation,

Plaintiffs,

v.

VA FILTRATION USA LLC, a California
corporation,

Defendant.

Civil Action No.: 3:06-cv-02026-JSW

**JOINT INTERIM STATUS REPORT OF
MAY 18, 2009**

**AND ORDER SETTING STATUS
CONFERENCE**

On December 14, 2006, this Court granted the parties' stipulation to stay this action until twenty-one days after a Final Determination on Defendant's Request for Re-Examination of U.S. Patent No. 5,480,665 (the '665 patent) (D.I. 28). On June 15, 2007, this Court issued an Order Requiring Joint Status Reports (D.I. 29). The parties submitted Joint Status Reports on June 27, 2007 (D.I. 30); March 3, 2008 (D.I. 32); June 2, 2008 (D.I. 33); December 2, 2008 (D.I. 34); and March 19, 2009 (D.I. 36). The Ex Parte Re-Examination Certificate for the '665 patent issued on December 19, 2008 (see Exhibit A to D.I. 36).

Since the most recent Status Report, there has been an exchange of proposals to resolve the entire case. In order for the parties to finalize these discussions, the parties request a two week period to attempt to complete settlement of this action. The parties will submit an updated Joint Status Report on or before June 1, 2009.

Dated: May 18, 2009

DERGOSITS & NOAH LLP

By: /s/
Michael E. Dergosits

Attorney for Plaintiffs VINOVAION, INC.
and OENOVAION INTERNATIONAL LLC

Dated: May 18, 2009

BINGHAM McCUTCHEN LLP

By: /s/
Judith Hom

Attorney for Defendant
VA FILTRATION USA LLC

The request to continue the stay is GRANTED. The Court ORDERS the parties to appear for a status conference on June 12, 2009 at 1:30 p.m. The parties shall submit a joint status report by no later than June 5, 2009. Should the Court receive a proposed stipulation of dismissal, the case shall be terminated and the status conference vacated.

Dated: May 19, 2009

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JEFFREY S. WHITE

UNITED STATES DISTRICT JUDGE